

## REMARKS

The Examiner objected to claims 44, 46, 48, 50, 52 and 60-61 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and Applicants have so rewritten claims 44, 46, 48, 50, 52 and 60-61 in independent form.

The Examiner indicated claims 63, 70-71, and 74-76 would be allowable upon overcome the rejection under 35 U.S.C. § 112. Applicants gratefully acknowledge the Examiner's indication of allowable subject matter.

The Examiner indicated claim 80 is allowed over the art of record. Applicants gratefully acknowledge the Examiner's indication of allowed subject matter.

The Examiner rejected claims 63, 70-71 and 74-76 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner rejected claims 34-41, 47, 49 and 51 under 35 U.S.C. § 102(b) as allegedly being anticipated by Bennett *et al.* (US 3,842,495) cited in the previous Office Action.

The Examiner rejected claims 34-43, 45, 53, 55-59, 62, and 77-79 under 35 U.S.C. § 102(b) as allegedly being anticipated by Chapel Jr., *et al.* (US 4,907,341).

The Examiner rejected claims 34-43, 45, 47 and 49 under 35 U.S.C. § 102(b) as allegedly being anticipated by Bartush *et al.* (US 5,233,327).

Applicants respectfully traverse the § 112 rejections and the § 102 rejections with the following arguments.

**35 U.S.C. § 112, Second Paragraph**

The Examiner rejected claims 63, 70-71 and 74-76 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Since claims 63, 70-71 and 74-75 have been canceled, Applicants respectfully contend that the rejection of claims 63, 70-71 and 74-75 under 35 U.S.C. § 112, second paragraph is moot.

As to claim 76, the Examiner argues: "In claim 76, there is a missing text after "dR/dt" recited at line 14 which renders the claim indefinite."

In response applicants have amended claim 76 to recite " $dR/dt < 0$ ", which is supported in the specification on page 13, lines 18-20 ("In a second example in which  $R_2 < R_1$ , the first electrically conductive material includes cobalt, the second electrically conductive material includes silicon, and the third electrically conductive material includes cobalt silicide.").

Accordingly, Applicants respectfully contend that claim 76 is not unpatentable under 35 U.S.C. § 112, second paragraph.

**35 U.S.C. § 102(b)**

The Examiner rejected claims 34-41, 47, 49, and 51 under 35 U.S.C. § 102(b) as allegedly being anticipated by Bennett *et al.* (US 3,842,495) cited in the previous Office Action.

Since claims 34-41, 47, 49, and 51 have been canceled, Applicants respectfully contend that the rejection of claims 34-41, 47, 49, and 51 as allegedly anticipated by Bennett under 35 U.S.C. § 102(b) is moot.

The Examiner rejected claims 34-43, 45, 53, 55-59, 62, and 77-79 under 35 U.S.C. § 102(b) as allegedly being anticipated by Chapel Jr., *et al.* (US 4,907,341).

Since claims 34-43, 45, 53, 55-59, 62, and 77-79 have been canceled, Applicants respectfully contend that the rejection of claims 34-43, 45, 53, 55-59, 62, and 77-79 as allegedly anticipated by Chapel under 35 U.S.C. § 102(b) is moot.

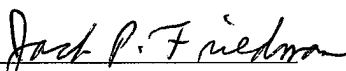
The Examiner rejected claims 34-43, 45, 47, and 49 under 35 U.S.C. § 102(b) as allegedly being anticipated by Bartush *et al.* (US 5,233,327).

Since claims 34-43, 45, 47, and 49 have been canceled, Applicants respectfully contend that the rejection of claims 34-43, 45, 47, and 49 as allegedly anticipated by Bartush under 35 U.S.C. § 102(b) is moot.

### CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0457.

Date: 03/21/2007

  
Jack P. Friedman  
Registration No. 44,688

Schmeiser, Olsen & Watts  
22 Century Hill Drive - Suite 302  
Latham, New York 12110  
(518) 220-1850  
E-mail: jfriedman@iplawusa.com